IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

WEDNESDAY, THE 21ST MARCH 2007 / 30TH PHALGUNA 1928

WP(C).No. 34682 of 2004(D)

PETITIONERS:
----

1. **P.RAMACHANDRAN, BRANCH MANAGER, KOTTAYAM DISTRICT CO-OPERATIVE BANK LTD., VAIKOM M & E BRANCH.**

2. **M.M.JOSEPH, BRANCH MANAGER, KOTTAYAM DISTRICT CO-OPERATIVE BANK LTD., KURAVILANGAD BRANCH.**

BY ADV. SRI.V.N.ACHUTHA KURUP (SR.)

RESPONDENTS:
----

1. **THE REGISTRAR OF CO-OEPRATIVE SOCIETIES, KERALA STATE, THIRUVANANTHAPURAM.**

2. **THE KOTTAYAM DISTRICT CO-OPERATIVE BANK LTD., DISTRICT CO-OEPRATIVE BANK BUILDINGS, KOTTAYAM REP. BY ITS GENERAL MANAGER.**

BY ADV. SRI.V.G.ARUN for R2
BY GOVERNMENT PLEADER SRI. MANOJ for R1

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 21/03/2007 ALONG WITH WPC NO. 34721 OF 2004, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WPC.NO.34682/2004 D

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1: COPY OF MEMO NO.EST/1375/2004-05 DTD. 10/11/04 OF 2ND RESPONDENT TO 1ST PETITIONER.

EXT.P2: COPY OF MEMO NO.EST/1375/2004-05 DTD. 10/11/04 OF THE 2ND RESPONDENT TO THE 2ND PETITIONER.

EXT.P3: COPY OF THE REPRESENTATION DTD. 25/11/04 OF THE 1ST PETITIONER TO 2ND RESPONDENT.

EXT.P4: COPY OF THE REPRESENTATION DTD. 25/11/04 OF THE 2ND PETITIONER TO THE 2ND RESPONDENT.

EXT.P5: COPY OF THE CIRCULAR NO.EST.445/01-02 DTD. 1/06/01 OF THE 2ND RESPONDENT.

EXT.P6: COPY OF THE RESOLUTION DTD. 3/09/03 PASSED BY THE 2ND RESPONDENT.

EXT.P7: COPY OF THE ORDER NO.EM(1)36158/2005/K.DIS. DTD. 3/10/05 OF THE 1ST RESPONDENT.

EXT.P8: COPY OF THE REPRESENTATION DTD. 26/11/05 OF THE 2ND PETITIONER BEFORE THE G.M. OF 2ND RESPONDENT.

EXT.P9: COPY OF LETTER NO.EST 805 2005-06 DTD. 30/11/05 OF 2ND RESPONDENT TO THE 2ND PETITIONER.

EXT.P10: COPY OF ORDER NO.EM(1)47184/2005 DTD. 5/06/06 OF THE 1ST RESPONDENT.

EXT.P11: COPY OF G.O.(RT) NO.566/06/CO-OP. DTD. 13/12/06.

/TRUE COPY/

KSS

KURIAN JOSEPH, J.

W.P.(C) NOs. 34682 & 34721 OF 2004

Dated this the 21st day of March, 2007.

J U D G M E N T

The issue raised in these writ petitions pertains to the threat of recovery of salary. It is submitted that all petitioners have retired from service. It is seen from Exhibit P11 Government Order dated 13.12.2006 in Writ Petition No. 34682/2004 that the Government have passed orders in the case of one of the petitioners to the effect that the said petitioner shall be deemed to have been validly granted relaxation from educational qualification and he would also be eligible for consequential benefits.

2. Hence, these writ petitions are disposed of declaring that the other petitioners also will be entitled to the benefit of Exhibit P11 Government Order referred to above, since they are also similarly situated. Consequential benefits shall be granted to them within a period of two months.

These writ petitions are disposed of as above.

KURIAN JOSEPH, JUDGE.

smp